

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	09/400,154	Confirmation No.:	3080
Applicant(s):	TAKIGUCHI et al.	Group Art Unit:	2622
Filed:	Sep. 21, 1999	Examiner:	J. P. MISLEH
For:	IMAGE INPUT SYSTEM CONNECTABLE TO AN IMAGE INPUT DEVICE HAVING A PLURALITY OF OPERATION MODE	Customer No.:	27123

**RESPONSE TO NOTIFICATION OF
NON-COMPLIANT APPEAL BRIEF (37 C.F.R. 41.37)**

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This responds to the Notification of Non-Compliant Appeal Brief (the "Notification") mailed May 12, 2008.

Specifically, in the Notification, the Examiner states that the summary of claimed subject matter, which was presented in the May 5, 2008 Appeal Brief, "does not refer to claim (75) on appeal explicitly to the specification by page, and line numbers and to the drawings." In response, Applicants submit herewith an amended summary of claimed subject matter.

It is respectfully requested that section V. SUMMARY OF CLAIMED SUBJECT MATTER in the May 5, 2008 Appeal Brief be replaced with amended section V provided below.

V. SUMMARY OF CLAIMED SUBJECT MATTER (AS AMENDED)

The present invention is, in various aspects, relates to a system which connects an image input device (e.g., a digital camera having a plurality of operation modes) to an image processing apparatus (e.g., a personal computer) and which inputs and saves images. Also, the present invention relates to a method of controlling such system. (See, for example, the Specification at page 1, lines 7-12).

INDEPENDENT CLAIMS

The independent claims involved in the appeal are claims 67 and 75.

Claim 67 is generally directed to an “image input system, which includes an image input device having a plurality of operation modes and a computer having a plurality software programs each corresponding to each of the plurality of operation modes of the image input device” (see, for example, the Specification at page 6, line 25 to page 7 line 11 and page 12, line 17 to page 13, line 16).

Claim 67 sets forth “a transmitting unit adapted to transmit information indicating an operation mode set in said image input device to said computer when said image input device and said computer are connected with each other and a communication between said image input device and said computer is established” (see, for example, the Specification at page 14, line 18 to page 17, line 7, and Fig. 1, reference numeral 1).

Claim 67 also sets forth “a receiving unit arranged in said computer and adapted to receive the information indicating the operation mode set in said image input device” (see, for example, the Specification at page 14, line 18 to page 17, line 7, and Fig. 3, reference indication “PC”).

Claim 67 further sets forth “a control unit adapted to select a software program, which corresponds to the operation mode set in said image input device, from the plurality of software programs and make start the selected software program” (see, for example, the Specification at page 17, lines 8-10, and Fig. 5).

Claim 67 additionally sets forth, “wherein when said image input device and said computer are disconnected in a state that said image input device and said computer are connected with each other and the software program corresponding to the operation mode of said image input device is operating, it is set in every software whether the software is kept in an operating state or an operation of the software is terminated” (see, for example, the Specification at page 18, line 12 to page 19, line 4, page 20, line 25 to page 21, line 11, page 22, line 19 to page 23, line 4, and page 24, lines 9-20).

Claim 75 is generally directed to a “method of controlling an image input system, which includes an image input device having a plurality of operation modes and a computer having a plurality software programs each corresponding to each of the plurality of operation modes of the image input device” (see, for example, the Specification at page 8, lines 6-19, and page 12, line 17 to page 13, line 16).

Claim 75 sets forth “a transmitting step of transmitting information indicating an operation mode set in said image input device to said computer when said image input device and said computer are connected with each other and a communication between said image input device and said computer is established” (see, for example, the Specification at page 14, line 18 to page 17, line 7, and Figs. 1 and 3, reference numeral 1).

Claim 75 also sets forth “a receiving step of receiving by the computer the information indicating the operation mode set in said image input device” (see, for example, the Specification at page 14, line 18 to page 17, line 7, and Fig. 3, reference indication “PC”).

Claim 75 further sets forth “a control step of selecting a software program, which corresponds to the operation mode set in said image input device, from the plurality of software programs and make start the selected software program” (see, for example, the Specification at page 17, lines 8-10, and Fig. 5).

Claim 75 additionally sets forth, “wherein when said image input device and said computer are disconnected in a state that said image input device and said computer are connected with each other and the software program corresponding to the operation mode of said image input device is operating, it is set in every software whether the software is kept in an operating state or an operation of the software is terminated” (see, for example, the Specification at page 18, line 12 to page 19, line 4, page 20, line 25 to page 21, line 11, page 22, line 19 to page 23, line 4, and page 24, lines 9-20).

CONCLUSION


Applicants respectfully submit that the above amended summary of claimed subject matter is compliant with the requirements of 37 C.F.R. §41.37 and request the withdrawal of the Notification of Non-Compliant Appeal Brief. Consideration of the appeal on the merits is respectfully requested. If there are any questions regarding this submission, the PTO is encouraged to contact the Applicants' attorney.

AUTHORIZATION

No fee is believed due at this time. However, the Commissioner is hereby authorized to charge any fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4568.

Dated: May 20, 2008

Respectfully submitted,

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